

PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/940,771
Filing Date	8/27/01
First Named Inventor	Kryloff et al.
Art Unit	2122
Examiner Name	Mary J. Steelman
Attorney Docket Number	16004US01

Total Number of Pages in This Submission

**ENCLOSURES (check all that apply)**

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Return-Receipt Postcard<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
|---|---|--|

Remarks

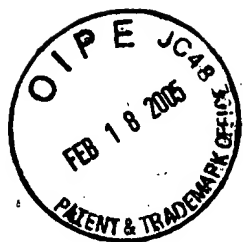
Statement Under 37 CFR 3.73(b)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual Name	McAndrews Held & Malloy, Ltd.		
Name (Print/type)	Jonathan M. Rushman	Registration No. (Attorney/Agent)	55,870
Signature			Date: February 18, 2005

**EXPRESS MAIL DEPOSIT**

"Express Mail" mailing label number : EV 436254396 US  
Date of Deposit February 18, 2005.



02-22-05

2122  
DFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. 16004US01)

In the Application of:

Kryloff et al.

Application No.: 09/940,771

Filed: August 27, 2001

For: SOFTWARE PATCH  
GENERATOR

Examiner: Mary J. Steelman

Group Art Unit: 2122

EV 436254396 US

Express Mail No.

February 18, 2005

Date

**STATEMENT UNDER 37 CFR 3.73(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Examiner Steelman:

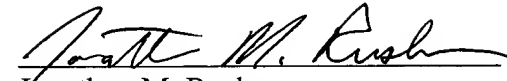
This Statement under 37 CFR 3.73(b) is meant to accompany the Power of Attorney and Change of Correspondence Address filed on January 10, 2005. We apologize for any inconvenience that may have resulted from submitting the statement separately from the previous submission.

Application No. 09/940,771  
Attorney Docket No. 16004US01

If you have any questions or the Applicant can be of any assistance, please  
contact the Applicant at the number below.

Respectfully submitted,

Date: February 18, 2005

  
Jonathan M. Rushman  
Registration No. 55,870

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Kryloff et al. (Applicants)Application No./Patent No.: 09/940,771/PendingFiled/Issue Date: August 27, 2001/PendingEntitled: SOFTWARE PATCH GENERATORPKWARE, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012398, Frame 0335, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_

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The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

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☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

**[NOTE:]** A separate copy (i.e., a true copy of the original document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
Signature

February 18, 2005

Date

Jonathan M. Rushman

Printed or Typed Name

312-775-8000

Telephone Number

Attorney for Assignee

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.